

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 8th Day of June 1998

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARIAH

WRIT PETITION NO.15266/1992

Between:

Sri.Mahadeswaraswamy Devasthana  
Charitable Trust,  
Yadavanahalli, Attibele Hobli,  
Anekal Taluk, Bangalore Urban  
District, represented by its  
Secretary S.Muni Reddy.

...PETITIONER

(By Sri.K.N.Subba Reddy, Adv.)

And:

1. The State of Karnataka,  
by its Commissioner and  
Secretary to Revenue  
Department, M.S.Building,  
Bangalore-1.
2. The Deputy Commissioner,  
Bangalore Urban District,  
Bangalore.
3. The Assistant Commissioner,  
Bangalore Sub-Division,  
Bangalore.
4. The Tahsildar,  
Anekal Taluk, Anekal,  
Bangalore Urban District.
5. Block Development Officer,  
Anekal, Bangalore Urban  
District.

...RESPONDENTS

(By Sri.K.Nagaraja, HCGP)

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This Writ Petition is filed under Articles 226 and 227 of the Constitution of India with a prayer to direct the respondents not to acquire the land bearing No.22 of Yadavanahalli village of Bangalore District.

This Writ Petition coming on for orders this day, the Court made the following:-

O\_R\_D\_E\_R

The petitioner has filed this Writ Petition seeking for a mandamus directing the respondents not to acquire the land bearing Sy.No.22 measuring 5 acres 14 guntas situated at Yadavanahalli village, Attibele Hobli, Anekal Taluk, Bangalore District.

The relief\$ sought for in this Writ Petition cannot be granted for ~~the~~ simple reason that if the land is required for a public purpose, it is open for the State Government to acquire the same. If any direction is issued it amounts to restraining the authorities <sup>from discharging</sup> ~~of their~~ statutory duty. Therefore, this Writ Petition is liable to be dismissed.

Accordingly, it is dismissed.



sps/-

Sd/-  
JUDGE